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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,861	12/31/2001	Mark F. Nelson	16790 (27839-558)	6378
45736 7590 02/26/2009 Christopher M. Goff (27839) ARMSTRONG TEASDALE LLP ONE METROPOLITAN SQUARE SUITE 2600 ST. LOUIS, MO 63102				
EXAMINER TRUONG, LAN DAI T				
ART UNIT 2452		PAPER NUMBER		
NOTIFICATION DATE 02/26/2009		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USpatents@armstrongteasdale.com

# Office Action Summary

Application No.

10/038,861

Applicant(s)

NELSON ET AL.

Examiner

LAN-DAI Thi TRUONG

Art Unit

2452

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2008.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4, 7-13, 16 and 19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-2, 4, 7-13, 16 and 19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-845)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

#### DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/16/2008 has been entered.

2. This action is response to communications: application, filed on 12/31/2001; amendment filed on 12/16/2008. Claims 1-2, 4, 7-13, 16 and 19 are pending; claims 1-2, 7 and 19 are amended; claims 3, 5-6, 14-15, 17-18 and 20 are canceled.

3. The applicant's arguments filed on 12/16/2008 have fully considered but they are moot in view with new ground for rejections.

#### Claim rejections-35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 16 are rejected under 35 U.S.C 103(a) as being un-patentable over Thomas (U.S. 6,401,118) in view of Hosea et al. (U.S. 2005/0204276) and further in view of Morrell, JR (U.S. 2002/0002597).

Regarding claim 1:

Thomas discloses the invention substantially as claimed, including a system, which can be implemented in a computer hardware or software code for providing information relating to search theme, comprising:

an integrated web ring (IWR) site of a host managing the IWR and having a plurality of partners for providing information to the IWR relating to the theme, wherein the host manages user access on the IWR to the information provide by the partner: (in Thomas's system, a web server (figure 1, item 108) implements as a web manager hosting number of partner sites (figure 1, items 114-114n). Throughout the web server, internet searchers (figure 1, items 110a-110n, 118a-118n) can perform searching information those are collected from the partner sites (figure 1; column 4, lines 37-67; column 5, lines 1-27)).

a plurality of partner web pages relating to the theme and provided by the partners ( the internet searchers receive pages relating to searching criteria/ or searching topic/ or searching term from the partner sites: Thomas, figure 3; figure 5; column 9, lines 7-67).

a host web site provided by the host and accessible by users (In Thomas's system, the web server provides a graphical user interface (GUI). Throughout the GUI, the internet searchers can access the web server to receive services: column 4, lines 50-62), said host website including a plurality of host web pages comprising substantially non-commercial content provided by the partners relating to the theme: (as similar to rejections disclosed above,

the internet searchers receive pages relating to searching criteria/ or searching topic/ or searching term from the partner sites. Furthermore, Thomas's system supports for searching non-commercial content: figure 3; figure 5; column 9, lines 7-67; column 15, lines 32-44).

a link from the host web site to selected partner web page: (in response to received searching term, a list of hit URLs are collected. The default documents/ advertisement pages/ web pages are retrieved responding to particular URLs selection: Thomas, figure 5; column 6, lines 29-67; column 7, lines 1-16; column 9, lines 1-67).

tracking software for monitoring user access to the IWR site, to the selected partner web page and to the substantially non-commercial content on the host web pages: (the web server includes search engine performs functions of managing inputs from users, receiving search criteria from users, setting-up search strategies and matching the searched criteria to compile a list of offending to produce report pages to the users: Thomas, column 2, lines 37-65; column 4, lines 47-62; figure 2, items 106; figure 5, item 504).

However, Thomas does not explicitly disclose generating performance indicators relating thereto, wherein the tracking software enables revision of content of low user interest from the substantially commercial content-provided by the partners relating to the theme based on the generated performance indicators.

In analogous art, Hosea discloses if certain content components (e.g. text, images, advertisements, links to another webpage...etc.) of the web page are indicated to be of low interest to the user, which will be eliminated from a web page, see (Hosea, [0046]; [0047]-[0050]; [0043]-[0045]).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Hosea's ideas of eliminating certain content components from a web page if they are indicated to be of low interest to the users into Thomas's system in order to provide an effective on-line advertisement system (e.g. to save time consumes by limiting users from seeking out low interest pages), see (Hosea: [0003]).

However, Thomas-Hosea does not explicitly disclose content is information other than simple links, short descriptions of links, banner ads, promotional graphics, or short sentences.

In analogous art, Morrell discloses online retailers place icons into a host website, (Morrell, abstract).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Morrell's ideas of placing icons into a host website with Thomas-Hosea's system in order to provide an high-incentive and large volume online-advertisement system, see (Morrell: abstract; [0010]).

Regarding claim 16:

Thomas-Hosea-Morrell discloses a method as discuss in claim 1, which further includes wherein the IWR site is presented as resource and wherein the host web site presents the product in association with the IWR site: (in Thomas's system, throughout the GUI, the web server provides products search categories to the internet searchers: column 13, lines 3-42; column 8, lines 17-26).

Claims 2, 4, 7-13 and 19 are rejected under 35 U.S.C 103(a) as being un-patentable over Thomas (U.S. 6,401,118) in view of Hosea et al. (U.S. 2005/0204276) in view of Bowers et al. (U.S. 7,266,839) and further in view of Morrell, JR (U.S. 2002/0002597).

Regarding claim 2:

Thomas discloses the invention substantially as claimed, including method for controlling information relating to a theme, the information being available on an integrated web ring (IWR) of a server and a plurality of partners, the method comprising the steps of:

providing a plurality of partner Web pages and provided by the partners relating to the theme: (in Thomas's system, pages relating to searching criteria/ or searching topic/ or searching term are downloaded from partner sites: figure 3; figure 5; column 9, lines 7-67).

providing a host Web site provided by the server and accessible by users (In Thomas's system, the web server provides a graphical user interface (GUI). Throughout the GUI, the internet searchers could access the web server to receive services: column 4, lines 50-62), said host Web site including a plurality of host Web pages comprising substantially non-commercial content provided by the partners relating to the theme: (as similar to rejections disclosed above, pages relating to searching criteria/ or searching topic/ or searching term are downloaded from partner sites. Furthermore, Thomas's system supports for searching non-commercial content: figure 3; figure 5; column 9, lines 7-67; column 15, lines 32-44).

authorizing the host to select a partner Web page: (in Thomas's system, the web server has ability of selecting/scoring/matching pages of registrants regarding to searching term for retrieving data: abstract; figure 3; figure 5; column 9, lines 7-67).

providing a link from the host Web site to the selected partner Web page wherein the link has a title associated therewith: (receiving a respond URL includes title of content: Thomas, column 6, lines 29-67; column 10, "table 3").

However, Thomas does not explicitly disclose tracking user access to the substantially content.

In analogous art, Hosea discloses tracking the user's actual Web surfing activity and analyzing the user's click-stream data, see (Hosea, [0042]).

revising, as a function of said tracking, content of low user interest from the substantially content provided by the partners relating to the theme: (if certain content components (e.g. text, images, advertisements, links to another webpage...etc.) of the web page are indicated to be of low interest to the user, they will be eliminated from a web page: Hosea, [0046]; [0047]-[0050]; [0043]-[0045]).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Hosea's ideas of eliminating certain content components from a web page if they are indicated to be of low interest to the users into Thomas's system in order to provide an effective online advertisement system (e.g. to save time consumes by limiting users from seeking out low interest pages), see (Hosea: [0003]).

However, Thomas-Hosea does not explicitly disclose allowing a host to modify a title of the partner Web page as it appears on the host Web site.

In analogous art, Bowers discloses a host has capability of modifying (e.g. adding, removing, or changing) information from partner resources those will be viewed by users. It is essential for the modified information from partner resource could include a title of partner page, see (Bowers, column 9, lines 25-43; column 8, lines 25-32).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Bowers's ideas of providing a host with capability of modifying



information from partner resources into Thomas-Hosea's system in order to provide an efficient online-advertisement system, see (Bowers: column 3, lines 3-6).

However, Thomas-Hosea-Bowers does not explicitly disclose wherein the content is information other than simple links, short descriptions of links, banner ads, promotional graphics, or short sentences.

In analogous art, Morrell discloses online retailers place icons into a host website, (Morrell, abstract).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Morrell's ideas of placing icons into a host website with Thomas-Hosea-Bowers's system in order to provide an high-incentive and large volume online-advertisement system, see (Morrell: abstract; [0010]).

Regarding claim 7:

Thomas discloses the invention substantially as claimed, including an integrated web ring (IWR) site of a server and a plurality of partners for providing and managing information relating to a theme, the IWR site comprising:

a plurality of partner Web pages relating to the theme and provided by the partners: (in Thomas's system, pages relating to searching criteria/or searching topic/or searching term are downloaded from partner sites: figure 3; figure 5; column 9, lines 7-67).

a host Web site provided by the server and accessible by users, said host Web site including a plurality of host Web pages comprising substantially non-commercial content provided by the partners relating to the theme: (a web server (Thomas, figure 1, item 108) implements as a web manager hosting of number of partner sites (Thomas, figure 1, items 114-

114n). Throughout the web server, the internet searchers (Thomas, figure 1, items 110a-110n, 118a-118n) can perform searching information those are collected from the partner sites (Thomas, figure 1; column 4, lines 37-67; column 5, lines 1-27).

a link from the host Web site to a selected partner Web page, wherein the link is controlled by the server: (a respond URL includes title of content is returned to the internet searcher: Thomas, column 6, lines 29-67; column 10, "table 3").

a common navigational tool provided by the host Web site for searching and accessing only the host Web pages and the selected partner Web page: (web server provides a directory list includes selectable search criteria (e.g. song, album, artist...etc) so that the Internet searchers could select one of them prior perform searching: Thomas, column 8, lines 4-18; figure 3; figure 5; column 4, lines 47).

However, Thomas does not explicitly disclose an tracking software, said software tracking user access to the substantially non-commercial content.

In analogous art, Hosea discloses method of tracking the user's actual Web surfing activity and analyzing the user's click-stream data, see (Hosea, [0042]).

the tracking software enables revision of content of low user interest from the substantially non-commercial content provided by the partners relating to the theme based on the tracked user access: (if certain content components (e.g. text, images, advertisements, links to another webpage...etc.) of the web page are indicated to be of low interest to the user, they will be eliminated from the web page: Hosea, [0046]; [0047]-[0050]; [0043]-[0045]).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Hosea's ideas of eliminating certain content components from a

web page if they are indicated to be of low interest to the users into Thomas's system in order to provide an effective online advertisement system (e.g. to save time consumes by limiting users from seeking out low interest pages, see (Hosea: [0003])).

However, Thomas-Hosea does not explicitly disclose a server is permitted to modify a title associated with the link.

In analogous art, Bowers discloses a host has capability of modifying (e.g. adding, removing, or changing) information from partner resources those will be viewed by users. It is essential for the modified information from partner resource could include title of partner page, see (Bowers, column 9, lines 25-43; column 8, lines 25-32).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Bowers's ideas of providing a host with capability of modifying information from partner resources into Thomas-Hosea's system in order to provide an efficient online-advertisement system, see (Bowers: column 3, lines 3-6).

However, Thomas-Hosea-Bowers does not explicitly disclose wherein the content is information other than simple links, short descriptions of links, banner ads, promotional graphics, or short sentences.

In analogous art, Morrell discloses online retailers place icons into a host website, (Morrell, abstract).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Morrell's ideas of placing icons into a host website with Thomas-Hosea-Bowers's system in order to provide an high-incentive and large volume online-advertisement system, see (Morrell: abstract; [0010]).

Regarding claim 19:

Thomas discloses the invention substantially as claimed, including an integrated web ring (IWR) site of a server and a plurality of partners for providing and managing information relating to a theme, the IWR site comprising:

a plurality of partner Web pages relating to the theme and provided by the partners: (in Thomas's system, pages relating to searching criteria/or searching topic/or searching term are downloaded from partner sites: figure 3; figure 5; column 9, lines 7-67).

a host Web site provided by the server and accessible by users, said host Web site including a plurality of host Web pages comprising substantially non-commercial content provided by the partners relating to the theme: (a web server (Thomas, figure 1, item 108) implements as a web manager hosting of number of partner sites (Thomas, figure 1, items 114-114n). Throughout the web server, the Internet searchers (Thomas, figure 1, items 110a-110n, 118a-118n) can perform searching information those are collected from the partner sites (Thomas, figure 1; column 4, lines 37-67; column 5, lines 1-27).

a link from the host Web site to a selected partner Web page, wherein the link is controlled by the server: (a respond URL includes title of content is returned to the Internet searcher: Thomas, column 6, lines 29-67; column 10, "table 3").

a customized newsletter option selectable by each user which periodically delivers to each particular user selecting the option information relating to topics designated by the selected user: (a search engine supporting selectable searching topics: Thomas, figure 5).

However, Thomas does not explicitly disclose tracking software tracking user access to a substantially content.

In analogous art, Hosea discloses method of tracking the user's actual Web surfing activity and analyzing the user's click-stream data, see (Hosea, [0042]).

wherein the tracking software enables revision of content of low user interest from the substantially content provided by the partners relating to the theme based on the tracked user access: (if certain content components (e.g. text, images, advertisements, links to another webpage...etc.) of the web page are indicated to be of low interest to the user, which will be eliminated from the web page: Hosea, [0046]; [0047]-[0050]; [0043]-[0045]).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Hosea's ideas of eliminating certain content components from a web page if they are indicated to be of low interest to the users into Thomas's system in order to provide an effective online advertisement system (e.g. to save time consumes by limiting users from seeking out low interest pages), see (Hosea: [0003]).

However, Thomas-Hosea does not explicitly disclose a host is permitted to modify a title associated with the link.

In analogous art, Bowers discloses a host has capability of modifying (e.g. adding, removing, or changing) information from partner resources those will be viewed by users. It is essential for the modified information from partner resource could include a title of partner page), see (column 9, lines 25-43; column 8, lines 25-32).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Bowers's ideas of providing a host with capability of modifying information from partner resources into Thomas-Hosea's system in order to provide an efficient online-advertisement system, see (Bowers: column 3, lines 3-6).

However, Thomas-Hosea-Bowers does not explicitly disclose wherein the content is information other than simple links, short descriptions of links, banner ads, promotional graphics, or short sentences.

In analogous art, Morrell discloses online retailers place icons into a host website, (Morrell, abstract).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Morrell's ideas of placing icons into a host website with Thomas-Hosea-Bowers's system in order to provide an high-incentive and large volume online-advertisement system, see (Morrell: abstract; [0010]).

Regarding claim 4:

In addition to rejection in claim 2, Thomas-Hosea-Bowers-Morrell further discloses step of allowing the host to index partner webpage by assigning key word associated with the partner webpage: (Thomas discloses a technique of associating search keywords with URLs: figure 5).

Regarding claim 8:

Thomas-Hosea-Bowers-Morrell discloses a method as discuss in claim 7, which further includes wherein partner webpage comprises substantially no-commercial content relating to the theme and/or product purchase opportunities wherein the products relates to the theme and/or community component relating to the theme: (Thomas, figure 3; figure 5; column 9, lines 7-67; column 15, lines 32-44).

Regarding claim 10:

Thomas-Hosea-Bowers-Morrell discloses a method as discuss in claim 7, which further includes a web page is displayed with a brief description of a content of the selected partner

Web page and a visible indication of an identity of the partner providing the partner Web page: (Thomas: column 8, lines 17-26; column4, lines 47-67).

wherein at least some of the partners are retailers providing product Web pages for purchasing products related to the theme, the pages for purchasing products being accessible by links available on the partner Web pages: (in Thomas's system, a web server implements as a web manager hosting number of partner sites. Throughout the web server, the Internet searchers can perform searching information those are collected from the partner sites. The pages relating to search criteria/ topic/ term downloaded from partner sites: figure 3; figure 5; column 9, lines 7-67; figure 1; column 4, lines 37-67; column 5, lines 1-27).

wherein the purchase of a product via the ring results in a fee paid to the host and/or a fee paid to any partner that guided the user to the product Web page used for purchasing the product: (Morrell discloses a technique of monitoring numbers of users accesses/clicks on particular retailer site in order to indicate amount membership fees for the retailer: [0007]-[0008]; [0018]; figure 4).

Regarding claim 11:

This claim is rejected under rationale of claim 10.

Regarding claim 12:

Thomas-Hosea-Bowers-Morrell discloses a method as discuss in claim 7, which further discloses wherein the link on the host website to the selected partner page is display with an article display: (Thomas: column 4, lines 25-36) and wherein the displayed article results in a fee paid to the host: (Morrell: [0007]-[0008]; [0018]; figure 4).

Regarding claim 13:

Thomas-Hosea-Bowers-Morrell a method as discuss in claim 7, which further discloses wherein the link includes a source identifier identifying the partner providing the partner webpage to which the link directs the users: (Thomas, column 6, lines 29-52; column 8, table 2).

Regarding claim 9:

Thomas-Hosea-Bowers-Morrell a method as discuss in claim 7, which further discloses wherein the theme is parenting and wherein the information relates to one or more of the following: family, mothering, fathering, child raising, child development, education, entertainment, family, finance, health, home and garden, shopping, community or other parent information or interests: (Hosea's system supports online shopping: [0050]).

Conclusions

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAN-DAI THI TRUONG whose telephone number is (571)272-7959. The examiner can normally be reached on Monday- Friday from 8:30am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ldt.

02/20/2009.

/Kenny S Lin/

Primary Examiner, Art Unit 2452